

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JAVEED SYED,

Plaintiff,

Case No. 15-CV-12242

vs.

HON. GEORGE CARAM STEEH

GATEWAY COMMUNITY HEALTH,
INC. and MICHELLE WELLS,

Defendants.

_____/

ORDER DISMISSING SHOW CAUSE [DOC 11]
AND GRANTING PLAINTIFF'S MOTION TO EXTEND TIME TO
SERVE SUMMONS AND COMPLAINT UPON DEFENDANTS [DOC 13]

On December 11, 2015, this court issued an order to show cause in the above-captioned case, requiring that the plaintiff respond in writing or otherwise show good cause why the case should not be dismissed for failure to prosecute. On December 23, 2015, plaintiff responded to the court's show cause order by explaining that he attempted service by certified mail and the mail was returned to sender. Plaintiff filed a motion requesting an extension of time to perfect service.

Plaintiff, proceeding *in pro per*, filed his complaint in this matter on July 15, 2015. The court issued summonses for each defendant on August 19, 2015. On November 10, 2015, plaintiff attempted to serve defendants by certified mail sent to their business addresses. On December 9, 2015, the United States Postal Service returned the refused certified envelopes to plaintiff.

On December 15, 2015, plaintiff retained legal counsel to represent him in his employment discrimination lawsuit. Counsel filed this motion in response to the court's

order to show cause. The Federal Rules of Civil Procedure provide that “if the plaintiff shows good cause for the failure” to serve summons within 120 days after filing the complaint, “the court shall extend the time for service for an appropriate period.” Fed. R. Civ. P. 4(m). Given the circumstances of this case, the court finds that defendants will not suffer any prejudice if plaintiff is permitted additional time to serve the summons and complaint. Now, therefore,

The court hereby DISMISSES its order to show cause and GRANTS plaintiff an extension of the time limit for service until February 15, 2016.

SO ORDERED.

Dated: January 4, 2016

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on January 4, 2016, by electronic and/or ordinary mail.

s/Marcia Beauchemin
Deputy Clerk